IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

WP(C).No. 4487 of 2007(H)

PETITIONER:

AHMED SHAW, AGED 56,
S/O.SULAIMAN MUSALIAR, KULANGARAKATH,
KURUPATH, KUNDALIYOOR, CHETTUVA, THRISSUR
DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
SRI.K.RAVI (PARIYARATH)

RESPONDENTS:
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1. THE STATE BANK OF TRAVANCORE,
REP. BY ITS BRANCH MANAGER, CHAVAKKAD BRANCH,
CHETTUVA ROAD, THRISSUR DISTRICT.

2. THE CHIEF MANAGER, CHAVAKKAD BRANCH,
STATE BANK OF TRAVANCORE, CHAVAKKAD,
THRISSUR DISTRICT.

3. THE DISTRICT COLLECTOR,
COLLECTORATE, AYYANTHOLE, THRISSUR.

R1, R2 BY ADV.SRI.SAJI VARGHESE, S.C.
R3 BY GOVT. PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.4487 OF 2007

Dated this the 9th day of February, 2007

JUDGMENT

Heard learned counsel for the petitioner, Adv.Sri.Saji Varghese for respondents 1 and 2 and learned Government Pleader for the third respondent.

2. Learned counsel for the petitioner submits that the writ petitioner, a hardware merchant, suffered a heart attack and is finding out ways and means to liquidate the entire outstandings within a period of two months. This is recorded and it is directed that the impugned proceedings shall not be enforced for a period of two months on condition that the petitioner deposits an amount of Rs.1,00,000/- (Rupees One Lakh only) on or before the date fixed in Ext.P3 for sale. It is further directed that in case the petitioner commits default in remitting the amount as aforesaid, he will not be entitled to any fresh notice for any sale.

The writ petition is disposed with the above direction.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.